

REQUESTED BY MAYOR COSTELLO
APPROVED BY COMMITTEE-OF-THE-WHOLE
INTRODUCED BY RIEHL

ORDINANCE NO. 2018-80

AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, UNDER AUTHORITY OF SECTION 19.01 CHARTER, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, TO BE SUBMITTED TO THE ELECTORATE AT THE NEXT GENERAL ELECTION ON NOVEMBER 6, 2018, WHICH SHALL AMEND SECTION 21.08, "TERM LIMITS FOR ELECTED OFFICIALS", TO PROVIDE CLARIFICATION OF TERM LIMITS FOR PEOPLE TO FILL UNEXPIRED TERMS, DIRECTING THE CLERK OF COUNCIL TO FORWARD THIS ORDINANCE TO THE SUMMIT COUNTY BOARD OF ELECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Stow is desirous of placing the following amendment to the Charter of the City of Stow on the ballot:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO, WITH AT LEAST FIVE OF SAID MEMBERS ELECTED OR APPOINTED THERETO CONCURRING:

SECTION 1. That the question of a proposed separate amendment to the Charter of the City of Stow, as originally adopted by the electorate on November 4, 1958, and as amended from time to time, be, and the same is, hereby directed to be submitted to a vote of the qualified electors of the City of Stow, Ohio, at the next regular general election to be held on the 6th day of November, 2018, at the regular places of polling in said City between the hours of 6:30 a.m. and 7:30 p.m. and that said issue shall be submitted as a separate and distinct Charter Amendment and shall not be dependent upon any other proposed amendment to the Charter.

SECTION 2. That the ballot shall at the top thereof be entitled "City of Stow Charter Amendment Issue" and the question to be separately submitted on said ballot shall be substantially in the words and form following:

Shall Section 21.08 "TERM LIMITS FOR ELECTED OFFICIALS" of Article XXI "GENERAL PROVISIONS" of the Charter of the City of Stow be amended (as listed below) to provide for the partial repeal and insertion of additional language within Section 21.08?:

ARTICLE XXI GENERAL PROVISIONS

SECTION 21.08 TERM LIMITS FOR ELECTED OFFICIALS

Commencing with the term of January 2, 2012 no elected official shall be elected to more than two consecutive four year terms in the same elected office for the offices of Mayor, Finance Director and Law Director and no more than four consecutive two year terms in the same elected office for the offices of City Council, Ward or At-Large. An individual's election or appointment to fulfill the unexpired term of any vacant elected office shall not be considered a full term subject to the above term limit. For the purpose of this section, the office of ward councilperson and the office of at-large councilperson shall be considered the same public office. Any elected person disqualified from holding public office due to the aforementioned term limitation shall become eligible to hold the same public office upon the expiration of two years.

To the left of or below said wording, in boxes with appropriate places of marking shall appear the words "YES" and "NO" and each voter shall indicate his vote by marking a cross mark "X" or filling in the place so provided.

SECTION 3. That in the event said separate amendment to the City Charter is approved by a majority of the electors voting thereon, it shall become part of the Charter of the City of Stow and shall become effective according to law, and the present existing section or sub-sections of said Charter shall thereby be then repealed or amended as are affected thereby.

SECTION 4. That the Clerk be, and she is, hereby directed to give Public Notice of the time and place of holding such election by publication of such notice at least ten (10) days prior to the date of such election, in a newspaper published and of general circulation in said City.

SECTION 5. That the Clerk be, and she hereby is, directed to publish the full text of the proposed Charter Amendment Issue at least fifteen (15) days before the date of such election.

SECTION 6. That the Clerk be, and she hereby is, directed to certify a copy of this ordinance to the Board of Elections of Summit County. That this ordinance be, and hereby is, determined sufficient authority upon filing with the Summit County Board of Elections to cause that government body to proceed to place the herein prescribed Charter Issue upon the Stow City ballot at the November 6, 2018, general election, and that such authority be deemed granted to the Board upon receipt of a certified copy hereof.

SECTION 7. That to pay the costs of printing and mailing said copies of said proposed Charter Amendment Issue and publishing notice thereof be, and hereby is, appropriated from the general fund the appropriate sums of monies so needed and the Director of Finance shall cause payment to be made therefore from such funds as are heretofore or hereinafter lawfully appropriated by Council for such purpose.

SECTION 8. That this ordinance was adopted pursuant to Section 4.11 Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that immediate submission to the Summit County Board of Elections is required by Section 8, Article XVIII of the Ohio Constitution, and, pursuant to Section 4.13 Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL _____

ATTEST _____
Bonnie J. Emahiser
CLERK OF COUNCIL

Matt Riehl
PRESIDENT OF COUNCIL

FILED WITH MAYOR _____

APPROVED


FILED WITH CLERK _____

James M. Costello
MAYOR

APPROVED AS TO FORM

EFFECTIVE DATE _____

Amber K. Zibritosky
LAW DIRECTOR


I, Bonnie J. Emahiser, Clerk of Council, do hereby certify that copies of the foregoing were posted in accordance with Section 10.13 C.O.S.